

**ENTERED**

January 05, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA

§

VS.

§

MAGISTRATE JUDGE NO. 2:16-MJ-1576-3

MALCOLM LAMAR RUSSELL

§

§

**MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL**

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There are no conditions or combination of conditions that will ensure the safety of the community; and
- (2) There is a serious risk that the Defendant will fail to appear for future court proceedings.

The evidence against the Defendant meets the probable cause standard. The findings and conclusions contained in the Pretrial Services Report are adopted. This order of detention is entered without prejudice to the Defendant's right to re-urge a bond after the Defendant shows proof written proof that his active probation period has been completed and there are no active warrants for him.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private

consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 5th day of January, 2017.

  
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B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE